

Hearing Date and Time: September 27, 2007, at 10:00 A.M.

Response Date and Time: September 20, 2007, at 4:00 P.M.¹

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Attorneys for Johnson Controls, Inc.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re	:	
DELPHI CORPORATION, <u>et al.</u> ,	:	Chapter 11
Debtors.	:	Case No. 05-44481 (RDD)
	:	(Jointly Administered)
-----X	:	

JOHNSON CONTROLS, INC.
OBJECTION AND RESERVATION OF RIGHTS RELATING TO DEBTORS' MOTION
FOR ORDER PURSUANT TO 11 U.S.C. §§ 105 (a) AND 502(c) (A) ESTIMATING AND
SETTING MAXIMUM CAP ON CERTAIN CONTINGENT OR UNLIQUIDATED
CLAIMS AND (B) APPROVING EXPEDITED CLAIMS ESTIMATION PROCEDURES
WITH RESPECT TO CLAIM NUMBER 15525

Johnson Controls, Inc. ("JCI") responds to the Debtors' Motion for Order Pursuant to 11 U.S.C. §§ 105(a) and 502(c) (A) Estimating and Setting Maximum Cap on Certain Contingent or

¹ The Debtors extended the response date and time vis a vis Johnson Controls, Inc. for this claim from September 20, 2007 to September 24, 2007 at 5:00 p.m.

Unliquidated Claims and (B) Approving Expedited Claims Estimation Procedures (“Estimation Motion”) with respect to JCI claim number 15525 as follows:

1. JCI filed claim number 15525 against the Debtors in connection with the various contractual dealings between JCI and various Delphi entities. Although claim number 15525 was filed in an overall unliquidated amount, it contains a liquidated component in the amount of \$85,688.20. JCI does not have an objection to the Debtors’ proposed cap amount of \$85,688.20 for claim number 15525, subject to the objection and reservation of rights set forth below.

2. JCI objects to the Debtors’ Estimation Motion because it does not preserve the right for JCI to assert either a rejection damages claim in connection with any executory contract that the Debtors reject pursuant to 11 U.S.C. §365 during these chapter 11 proceedings or a cure claim in connection with any executory contract that the Debtors assume pursuant to 11 U.S.C. §365 during these Chapter 11 proceedings.

3. JCI expressly reserves the right to amend claim number 15525 or to otherwise seek additional amounts over and above the Capped Amount sought to be imposed by the Debtors for rejection damages in the event that the Debtors reject JCI contracts or for cure in the event that the Debtors assume JCI contracts.

Dated: September 24, 2007

RESPECTFULLY SUBMITTED

Johnson Controls, Inc.

By: /s/ Elena Lazarou

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